

(2) The creation or execution of wills, codicils, or testamentary trusts.

(3) Premarital agreements, marriage, adoption, divorce or other matters of family law.

(4) Court orders or notices, or documents used in court proceedings.

(5) Documents of title which are filed of record with a governmental unit until such time that a state or subdivision thereof chooses to accept filings electronically.

(6) Residential landlord-tenant relationships.

(7) The Uniform Health-Care Decisions Act.

(i) INSURANCE.—It is the specific intent of the Congress that the benefits of this title apply to the business of insurance. This section applies to any Federal and State law and regulation governing the business of insurance that requires manual signatures or communications to be printed or in writing, document delivery, and retention.

(j) APPLICATION IN UETA STATES.—This section does not preempt the Uniform Electronic Transactions Act as in effect in a State, if that Act, as in effect in that State, is not inconsistent, in any significant manner, with the provisions of this Act.

#### **SECTION 6. PRINCIPLES GOVERNING THE USE OF ELECTRONIC SIGNATURES IN INTERNATIONAL TRANSACTIONS.**

To the extent practicable, the Federal Government shall observe the following principles in an international context to enable commercial electronic transaction:

(1) Remove paper-based obstacles to electronic transactions by adopting relevant principles from the Model Law on Electronic Commerce adopted in 1996 by the United Nations Commission on International Trade Law.

(2) Permit parties to a transaction to determine the appropriate authentication technologies and implementation models for their transactions, with assurance that those technologies and implementation models will be recognized and enforced.

(3) Permit parties to a transaction to have the opportunity to prove in court or other proceedings that their authentication approaches and their transactions are valid.

(4) Take a non-discriminatory approach to electronic signatures and authentication methods from other jurisdictions.

#### **SECTION 7. STUDY OF LEGAL AND REGULATORY BARRIERS TO ELECTRONIC COMMERCE.**

(a) BARRIERS.—Each Federal agency shall, not later than 6 months after the date of enactment of this Act, provide a report to the Director of the Office of Management and Budget and the Secretary of Commerce identifying any provision of law administered by such agency, or any regulations issued by such agency and in effect on the date of enactment of this Act, that may impose a barrier to electronic transactions, or otherwise to the conduct of commerce online or by electronic means. Such barriers include, but are not limited to, barriers imposed by a law or regulation directly or indirectly requiring that signatures, or records of transactions, be accomplished or retained in other than electronic form. In its report, each agency that shall identify the barriers among those identified whose removal would require legislative action, and shall indicate agency plans to undertake regulatory action to remove such barriers among those identified as are caused by regulations issued by the agency.

(b) REPORT TO CONGRESS.—The Secretary of Commerce, in consultation with the Director of the Office of Management and Budget, shall, within 18 months after the date of enactment of this Act, and after the consultation required by subsection (c) of this section, report to the Congress concerning—

(1) legislation needed to remove barriers to electronic transactions or otherwise to the

conduct of commerce online or by electronic means; and

(2) actions being taken by the Executive Branch and individual Federal agencies to remove such barriers as are caused by agency regulations or policies.

(c) CONSULTATION.—In preparing the report required by this section, the Secretary of Commerce shall consult with the General Services Administration, the National Archives and Records Administration, and the Attorney General concerning matters involving the authenticity of records, their storage and retention, and their usability for law enforcement purposes.

(d) INCLUDE FINDINGS IF NO RECOMMENDATIONS.—If the report required by this section omits recommendations for actions needed to fully remove identified barriers to electronic transactions or to online or electronic commerce, it shall include a finding or findings, including substantial reasons therefor, that such removal is impracticable or would be inconsistent with the implementation or enforcement of applicable laws.

### **NOTICE OF HEARING**

#### **COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. MURKOWSKI. Mr. President, I would like to announce that a full committee oversight hearing has been scheduled before the Committee on Energy and Natural Resources. The oversight hearing will take place Tuesday, October 26, 1999, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on the interpretation and implementation plans of Subsistence Management Regulations for Public Lands in Alaska, Subparts A, B, C, and D, Redefinition to Include Waters Subject to Subsistence Priority; Final Rule. Only the administration will present testimony.

Those who wish to submit written testimony should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. Presentation of oral testimony is by committee invitation only. For information, please contact Jo Meuse or Brian Malnak at (202) 224-6730.

### **AUTHORITY FOR COMMITTEE TO MEET**

#### **COMMITTEE ON SMALL BUSINESS**

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate for a hearing entitled "Internet Cramming: The Latest High-Tech Fraud on Small Businesses." The hearing will be held on Monday, October 25, 1999, beginning at 1 p.m. in room 652 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### **ADDITIONAL STATEMENTS**

#### **TRIBUTE TO THOMAS BUREAU McDONALD**

• Mr. BINGAMAN. Mr. President, I rise today to pay tribute to the life of

Thomas Bureau McDonald who died as a result of a tragic car accident on October 9, 1999 in Albuquerque, New Mexico at the age of 35. His parents, family, and friends have lost a very special person. New Mexico has lost a young and dedicated public servant whose passion was working with college students, strengthening and expanding higher education, and stressing the importance of attending college.

Tom was a rising star among those interested in public service in New Mexico. He will be missed for his cheerful personality, his keen sense of humor, his political savvy, and his devotion to empowering students at the university and state level when it came to their education. Tom was never concerned with how much he could accomplish or who he could influence but, rather how he could live his life so when he was no longer serving in his appointed or elected capacities his ideas, dreams, and goals would be a reality. That reality was for children and their families living throughout New Mexico to have the opportunities in place to attend college to better themselves and to better their community. In life there are individuals who are concerned about being remembered for what they have done or still can do; Tom's only concern was being remembered for who he was—an outspoken leader on higher education and its students, a good son to his parents, a loving grandson to his grandmothers, and a trustworthy and loyal individual to his friends.

Tom attended the University of New Mexico and graduated from Western New Mexico University in Silver City, New Mexico where I grew up as a child. During his years at Western, Tom was elected by his peers not just once but twice to serve as their student body president (1990–1992). It was during this time that he eloquently presented a plan to the Board of Regents to build a new \$3.5 million Student Union Building utilizing only student fees. Tom was fortunate to go back a few years ago to the dedication of this new building. While at the dedication ceremony he realized that what started as a vision, a risk, a challenge, turned into structure of unity where students, administrators, and community members could learn, work and just be together.

Mr. President, from 1990 to 1992 Tom was appointed to two one year terms as the student member on the Governor's Commission on Higher Education by former Governor Bruce King. During his tenure, Tom transformed the way members of the Commission viewed student participation and input on higher education. Through his optimism, determination, and presence he created an identity for students around the state who were concerned about the quality of their education. That identity which Tom helped form not only exists before the Commission today, but before the State Legislature and Office of the Governor.

From 1992 to 1993 Tom was elected by student representatives from New

Mexico's two-year and four-year institutions as executive director of the Associated Students of New Mexico (ASNM). ASNM is a non-profit student organization that represents the interests of 100,000 students members enrolled in two-year and four-year institutions of higher learning before the New Mexico Commission on Higher Education, State Legislature and Office of the Governor. This organization has brought forth some of New Mexico's current and former state legislators, county commissioners, and public servants. Two of my current Washington DC staffers and one of my state staffers are former executive directors of this association. While serving as executive director, Tom always encouraged those he met to reach for their goals, pursue their dreams, and turn any rejection into motivation. He believed that what one does now to enhance their life will impact others in the future. He lived what he preached and what he did to enhance his life has left a lasting impact for students and their education throughout New Mexico.

Tom received his Masters of Criminal Justice from New Mexico State University in 1996. He was also appointed by Governor Gary Johnson to serve a two-year term from 1994-1996 as the first voting student regent in the history of New Mexico State University. One year later in 1997, he was appointed by Governor Johnson to serve a full six-year term on the New Mexico Commission on Higher Education where he served until the time of his death.

Mr. President, I would like to extend my condolences to his parents Clyde and Eileen and the entire McDonald family. I ask that my colleagues in the Senate join me in honoring the achievements and contributions in the life of this young and outstanding New Mexican.●

#### MENTOR A CHILD WEEK

● Mr. NICKLES. Mr. President, today I rise to recognize the efforts of those working to make a difference in the lives of today's youth. The last week in October is "Mentor a Child Week" in my home State of Oklahoma. I encourage all of us to participate.

Big Brothers, Big Sisters is an organization whose mission is to make a positive difference in the lives of children and youth. Focusing on the challenges single parents face, this organization provides professionally supportive one-to-one relationships with a positive and caring adult volunteer, and assists these children in achieving their greatest potential as they grow to become responsible citizens in the community.

Children with mentors are 46 percent less likely to use illegal drugs, 27 percent less likely to use alcohol, and 52 percent less likely to skip school. Youth with mentors have better relationships with their peers and family members.

I encourage all citizens, parents, governmental agencies, public and private institutions, businesses and schools to support efforts that will promote the mentoring of children and youth throughout our community.●

#### WOMEN'S BUSINESS DEVELOPMENT CENTER

● Mr. DURBIN. Mr. President, I rise today to recognize the Women's Business Development Center in their efforts to help female entrepreneurs establish their niche in the corporate world. The WBDC helps train and provide technical assistance to entrepreneurial women. These are the same women who own your neighborhood dry cleaner, run your child care center, and assist with your taxes.

Mr. President, I would like to call special attention to the women who have dedicated their time expanding child-care availability in Illinois. The WBDC sponsors the Child Care Business Initiative (CCBI) in cooperation with the Hull House Association that will provide information, resources, and guidance to women seeking entry into this important and growing industry. Over 250 women have utilized CCBI to gain critical business skills and key industry information about child care.

The Illinois Department of Commerce and Community Affairs estimates that over 1,000 child care centers would need to be created to meet the projected demand for child care in Illinois alone. In light of the fact that only 20% of the 162,000 children who are in working families receive full-day, licensed child care, the role that the CCBI plays in helping women establish day care centers may have a significant impact on the availability and accessibility of child care in Illinois.

Again, I would like to take this time to commend the WBDC for creating and expanding opportunities for ambitious, women entrepreneurs.●

#### SENATOR LEAHY'S 10,000TH VOTE

● Mr. LUGAR. Mr. President, I rise to recognize one of my colleagues, Senator PAT LEAHY, who has cast his 10,000th vote. I congratulate him on his tenure in the Senate.

Senator LEAHY and I have worked together in the past on many agricultural issues and legislation as members of the Senate Committee on Agriculture, Nutrition, and Forestry. Most notably we worked closely together on two farm bills, both in 1990 when Senator LEAHY served as chairman of the committee and in 1996 when I served as chairman. Senator LEAHY joined with me in reviewing the organization of the U.S. Department of Agriculture and developing legislation to streamline its operations. We both share an interest in conservation issues and have worked together to provide opportunities for farmers to preserve and protect their natural resources.

We have both recognized the importance of a bipartisan approach on

major legislation originating in the committee. I value the partnership that we formed to move important agricultural legislation through the committee and through the Senate.

My colleague, Senator PAT LEAHY, deserves commendation for his service and tenure in the Senate. I am proud to serve with him and look forward to working together in the future on issues of mutual interest.●

#### IN RECOGNITION OF TPL, INC.

● Mr. BINGAMAN. Mr. President, I am pleased today to recognize TPL, Inc. in Albuquerque, NM who is a 1999 Tibbetts Award recipient and will be honored by the U.S. Small Business Administration at a congressional reception on Tuesday, October 26, 1999 here in Washington DC.

The Fourth Annual Tibbetts Award is presented by the Small Business Administration to firms that have attained high levels of success in research and development under the Small Business Innovation Research (SBIR) program and to organizations and individuals who have supported technological innovation. Moreover, those groups are judged on the economic impact of their technological innovations and overall business achievements.

I feel that it is fitting that I recognize the 1999 Tibbetts Award recipient TPL, Inc. and its CEO Mr. H.M. (Hap) Stoller for their hard work that has led them to receive this prestigious national award. TPL, Inc. is a leading contractor for the Army and Navy in the demilitarization of conventional munitions as well as the development of economically viable processes for the commercial reuse of recovered energetic materials. TPL, under sponsorship of the Defense Threat Reduction Agency in the Military Capacitor Program, has developed the state-of-the-art in high energy density dielectric materials for capacitive devices and has begun their manufacture for advance weapons system programs. The technologies underlying these accomplishments were initiated under the SBIR Program.

TPL was recently awarded a \$38.4 million sub-contract from General Dynamics Ordnance Systems as part of their five-year, \$145 million operational demilitarization contract from the U.S. Army's Industrial Operations Command. TPL will be totally responsible for three out of nine families of conventional munitions contained in the largest demilitarization program ever funded by the Army. Concurrently, through the Tri-Services Demilitarization Technology Office, the Navy is supporting three Phase III efforts to transition energetic materials resource recovery and reuse processes to pilot plant facilities, such processes designed to lower the cost of demilitarization activities as well as protect the environment by allowing demilitarization material reuse. These contracts reinforce TPL's position as an